



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
http://www.epa.gov/region08

Ref: ENF-L

January 26, 2011

## VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

Zurich Insurance 1400 American Lane Schaumburg, Illinois 60196

Re:

Request for Information dated November 19, 2010

Gilt Edge Mine Site/Nelson Tunnel/Commodore Waste Rock Pile Site

Dear Sir or Madam:

On November 19, 2010, the United States Environmental Protection Agency (EPA) sent you a letter requesting information (Information Request Letter) regarding your connection to Congdon and Carey, Congdon and Carey Ltd 3, Congdon and Carey Ltd 5, Minerals Engineering Company, and CoCa Mines Inc., former owners and/or operators of the Gilt Edge Mine Superfund Site located in Lawrence County, South Dakota and/or the Nelson Tunnel/Commodore Waste Rock Pile Superfund Site. The return receipt indicates that you received this Information Request Letter on December 1, 2010. Your response to the Information Request Letter was due on or before December 31, 2010. To date, EPA has not received any such response.

Your compliance with the Information Request Letter is required by law. Section 104 of Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties of up to \$37,500 per day for failure to timely respond. In addition, providing false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001.

I have enclosed a copy of the Information Request Letter and request an immediate response. Your response should be mailed to:

Sharon Abendschan, Enforcement Specialist U.S. EPA Region 8 Technical Enforcement Program, 8ENF-RC 1595 Wynkoop Street Denver, Colorado 80202-1129 If you refuse to comply, EPA will consider taking enforcement action that may include the imposition of civil penalties of up to \$37,500 per day for each day of non-compliance. If you have any questions, please contact Andrea Madigan, EPA Enforcement Attorney, at (303) 312-6904. Please give this matter your immediate attention.

Sincerely,

Kelcey Land, Director

Technical Enforcement Program, Office of Enforcement, Compliance,

And Environmental Justice

Matthew Cohn, Supervisory Attorney

Legal Enforcement Program,

Mattohn

Office of Enforcement, Compliance,

And Environmental Justice

Enclosure

8147	U.S. Postal Service ***  CERTIFIED MAIL RECEIPT ***  (Domeste Mell Only: No Insurance Governo Frontes)				
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0000	Return Receipt Fee (Endorsement Required)				
	Restricted Delivery Fee				
	(Endorsement Required)				
3470	Zurich Insurance				
	1400 American Lane				
7009	Schaumburg, Illinois 60196				
70					
	PS Form 8800, August 2003 See Reverse for Instructions				

SENDER: COMPLETE THIS SECTION OF SENDER: COMPLETE THIS SECTION OF SENDERS 1, 2, and 3. Also item 4 if Restricted Delivery is de	complete sired.	COMPLETE THIS SECTION ON DELIVERY  A Signature		
<ul> <li>Print your name and address on so that we can return the card to</li> <li>Attach this card to the back of the or on the front if space permits.</li> </ul>	you.	B. Received by (Printed Name)  ANDREW PIETRA	C. Date of Delivery	
1. Article Addressed to: JAN	2 6 2011	D. Is delivery address different from item 1?		
Zurich Insurance 1400 American Lane Schaumburg, Illinois 60196	EUM	JAN 3 1 2011'		
	X	☐ Insured Mail ☐ C.O.D.	elpt for Merchandise	
Article Number     (Transfer from service label)	7009 341	4. Restricted Delivery? (Extra Fee)	☐ Yes	
PS Form 3811, February 2004	Domestic Ret	urn Receipt	102595-02-M-1540	